

MAR 20 2006

Cheryl Lovell-Obatake

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County of Kauai
Mayor's Office
Charter Commission
4444 Rice Street Suite 150
Lihue, Hawaii 96766

Attention: Chairman Abrams & Members of the Charter Commission

Subject: General Plan Update November 2000 - Chapter 3. Caring for Land, Water & Culture

1998 to the year 2000 chair Abrams, vice-chair Robeson, myself and 30 plus more participated in the Kauai General Plan Update. We were known as the Citizen Advisory Committee. Within the CAC there were several task force committees which we by choice could select to participate. I selected the Hawaiian Task Force Committee and Transportation Task Force Committee.

I recall my affixing my signature with RED ink with two letters on the side of my name WR (with reservations).

I propose a Kauai Aha Council. In ancient times the Council consisted of individuals from the different ahupua'a(s); and their duty was to manage humane activities to maintain the quality of the environment - particularly the quality of the island's waters and watershed. The Aha Council from all the ahupua'a (s) on the island would meet and compare the consistencies, inconsistencies, in their ahupua'a.

I concur that - " State boards and commissions that license professions relating to transfer of land ownership or land development should require applicants to demonstrate knowledge of Hawaiian land and water laws and rights as a prerequisite for licensing or professional registration. These include, at minimum, the Real Estate Commission and the Board of Registration for Professional Engineers, Architects, Surveyors, Landscape Architects and the Board of Registration for Contractors."

The Aha Council could:

1. Educate planners, attorneys, and other individuals involved in land development and sales about laws concerning land titles, kuleana properties, water rights, access rights, and

other rights in land and water that are unique to Hawaii. The modern concept of watershed management mirrors the Native Hawaiian land use principles and practices under the ahupua'a land divisions. Like the modern concept of watershed, the ahupua'a recognizes the integral connection among land-based, stream-based, and ocean-based resources and activities.

2. Educate construction companies and workers about regulations concerning discovery and reporting of archaeological resources or burials.

Besides the Heritage Resource Map, predictive maps are just as important. In order to prevent destruction of archaeological sites, a set of predictive maps (Archaeological Resource Potential Maps) for Kauai, with assistance and input from the Kauai Historic Preservation Review Commission, the Planning Department, and the Kauai/Niihau Burials Council is recommended in chapter 3.

Chapter 3 is unique, and it deserves to be implemented, preserved and protected. Therefore, I request that the Charter Commission with special counsel review Chapter 3 and help secure, direct and or implement actions, with proper pono procedures. If not, why not?

Sincerely,



Cheryl Ululani Lovell-Obatake